

FILED

UNDER

SEAL

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3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 UNITED STATES OF AMERICA,

Case No. 2:16-cr-00046-GMN-PAL

8 Plaintiff,

9 v.

SEALED *EX PARTE* ORDER

10 RYAN W. PAYNE, et al.,

(*Ex Parte* Mot. Subpoenas – ECF No. 1292)

11 Defendants.

12 This matter is before the court on Defendant Ryan W. Payne’s Sealed *Ex Parte* Motion for
13 Issuance of Subpoenas (ECF No. 1292) and Sealed Exhibits (ECF No. 1384). This motion was
14 filed in response to the court’s January 6, 2017 Order (ECF No. 1257) granting in part and denying
15 in part Payne’s *Ex Parte* Motion for Issuance of Subpoenas (ECF No. 1192) and instructing
16 counsel to revise the proposed subpoenas duces tecum. The court has considered the revised
17 request for subpoenas.

18 Having reviewed and considered the matter the court finds that Mr. Payne has met his
19 burden under *United States v. Iozia*, 13 F.R.D. 335, 338 (S.D.N.Y. 1952), of establishing the need
20 for pretrial production of the requested documents. The court will therefore direct issuance of
21 subpoenas directing the custodian of records for the Department of the Interior’s Bureau of Land
22 Management, Nevada Highway Patrol, Las Vegas Metropolitan Police Department, and National
23 Park Service to produce the designated items to the Clerk of the Court by the close of business on
24 **February 13, 2017**. Upon receipt of the documents, the Clerk shall notify counsel for the parties
25 that the documents are available for inspection and copying.

26 Accordingly,

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